

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

MAY 04 2005

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DM
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F&G RESEARCH, INC.

Plaintiff,

V.

DELL COMPUTER CORPORATION

Defendant.

CAUSE NO. 1:04CV585-SS
JURY

STIPULATION OF DISMISSAL

Plaintiff F&G Research, Inc. and Defendant Dell Inc. file this stipulation of dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii).

1. On September 9, 2004, Plaintiff filed this suit against Defendant.
2. Plaintiff now moves to dismiss this suit. Defendant, who has answered, agrees and stipulates to this dismissal.
3. This case is not a class action, and a receiver has not been appointed.
4. This action is not governed by any statute of the United States that requires an order of the Court for dismissal of this case.
5. Plaintiff has not dismissed an action based upon or including the same claim or claims as those presented in this suit.
6. This dismissal is with prejudice.
7. A proposed order granting this stipulation is attached.

Respectfully submitted,



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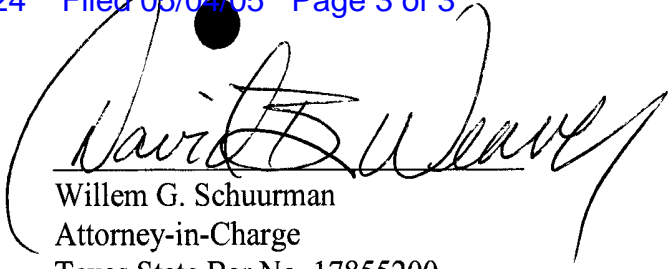
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CERTIFICATE OF SERVICE

I certify that a copy of this *Stipulation of Dismissal* has been sent to all counsel of record via certified mail, return receipt requested on this 2nd day of ~~April~~ ^{May} 2005.

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